SAN FRANCISCO DISTRICT

US Army Corps of Engineers

PUBLIC NOTICE

NUMBER: 22768S DATE: March 26, 1998
RESPONSE REQUIRED BY: April 26, 1998

Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197

PERMIT MANAGER: Angie Wulfow PHONE: 415-977-8452 Email: awulfow@smtp.spd.usace.army.mil

1. INTRODUCTION: Mr. Jerry Bennett, Director of Aviation, County of Santa Clara, Roads and Airports Department, Airport Division, 2500 Cunningham Avenue, San Jose, CA 95148 (408-929-1060) has applied for a Department of the Army permit to place 1,581 cubic yards of fill material onto 0.92 acre of wetlands and 0.06 acre of other waters. The Palo Alto Airport is located within the city limits of Palo Alto, Santa Clara County, California (Sheet 1 of 9). The airport is bordered by San Francisquito Creek to the northwest, Palo Alto Baylands Nature Preserve (consisting of salt marshes and sloughs) to the east, the Palo Alto Golf Course to the west and Embarcadero Road to the south (Sheet 2 of 9). The applicant states that the project purpose is to maintain and improve the safety of the Palo Alto Airport as a facility for the operation of general aviation aircraft. The Palo Alto Airport has received a grant from the Federal Aviation Administration (FAA) to fund improvements to airport infrastructure. This grant will be rescinded if the improvements are not made within the timeframe specified by the grant. Currently, the airport has exceeded the dead line for the incorporation of these improvements. However, an extension of the deadline has been issued by the FAA. This application is being processed pursuant to the provisions of section 404 of the Clean Water Act (33 U.S.C. 1344).

2. **PROJECT DESCRIPTION:** As shown on the attached drawings, the applicant plans to regrade the existing runway shoulders as part of an overall plan to maintain and improve the safety of the Palo Alto Airport. Additional improvements and maintenance activities include: repave both the runway and taxiway; reconstruct and repave the aircraft parking apron; install security lighting to the apron area; upgrade the existing drainage system; create safety areas at both ends of the runway; install a chain-link perimeter fence; and, regrade a portion of an existing maintenance road located east of the runway. The regrading of the runway, taxiway, aircraft parking apron and maintenance road as well as the creation of safety areas, upgrading of the drainage system and installation of the perimeter fence will occur in uplands outside the jurisdiction of the Corps of Engineers. Work in Corps jurisdiction includes the placement of fill in 0.92 acres of seasonal wetlands and 0.06 acres of other waters for the regrading of the eastern runway shoulder.

MITIGATION: The applicant proposes to construct two mitigation areas on site (Sheet 3 of 9). These areas will total 2.04 acres and will offset the 0.98 acre of impact to jurisdictional waters as a result of regarding the runway shoulder. These mitigation areas will create new jurisdictional wetlands and habitat suitable for the salt marsh harvest mouse. The details of the mitigation proposal are contained in a mitigation and monitoring plan submitted by the applicant.

3. **STATE APPROVALS:** Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must obtain a State water quality certification or waiver before a Corps permit may be issued. The applicant has provided the Corps with evidence that he has submitted a valid request for State water quality certification to the Regional Water Quality Board. No Corps permit will be granted until the applicant obtains the required certification or waiver. A waiver may be explicit, or it will be deemed to have occurred if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issues that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 2101 Webster Street, Suite 500 Oakland, California 94612, by the close of the comment period of this public notice.

4. **PRELIMINARY ENVIRONMENTAL ASSESSMENT:** The Corps of Engineers has assessed

the environmental impacts of the action proposed in accordance with the requirements of the National Environmental Policy Act of 1969 (Public Law 91-190), and pursuant to Council on Environmental Quality's Regulations, 40 CFR 1500-1508, and Corps of Engineer's Regulations, 33 CFR 230 and 325, Appendix B. Unless erwise stated, the Preliminary Environmental Assessment describes only the impacts (direct, indirect, and cumulative) resulting from activities within the jurisdiction of the Corps of Engineers. The Environmental Matrix used in the preparation of this Preliminary Environmental Assessment is on file in the Regulatory Branch, Corps of Engineers, 333 Market Street, San Francisco, California.

The Preliminary Environmental Assessment resulting in the following findings:

a. IMPACTS ON THE AQUATIC ECOSYSTEM

(1) PHYSICAL/CHEMICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Erosion/Sedimentation Rate: The project site contains soils which could affect the structural integrity and stability of the proposed improvements. The implementation of the following measures would reduce these impacts to a less-than-significant level. (1) slab and pavement subgrades and areas to receive engineered fill will be excavated of any and all loose/soft soils. Areas receiving fill will be scarified to a depth of 6 inches, moisture-conditioned (or dried) and compacted in accordance with criteria in the geotechnical report; (2) A geotechnical engineer will observe all excavated areas during grading and perform moisture and density tests on all fill materials. Any fill material imported onto the site will be relatively granular material and will be reviewed by the geotechnical engineer; (3) Surface runoff from the pavement areas will be collected and drained to suitable discharge points. Water will not be allowed to pond immediately adjacent to the pavement area and positive drainage will be provided.

Drainage Patterns: The project includes improvements to the existing Airport stormwater drainage system in the vicinity of the runway and taxiway. The existing system is partially clogged and has deteriorated, causing the runway to flood during heavy rainstorms. Drainage pipes under the runway will be replaced and drains located along the northern side of the runway will be cleared out. No work is planned for the jurisdictional drainage ditch on the south side of the runway.

Water Quality: The proposed improvements will not result in a significant impact to water quality.

(2) BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Wetlands: The proposed project will result in the direct loss of approximately 0.98 acre of diked seasonal marsh habitat. This amount includes approximately 0.92 acre of wetlands and 0.06 acre of seasonal ponds. This impact is associated with the regrading (fill operations) of the eastern edge of the runway. The impacted wetland area is sparsely covered with pickleweed.

All mitigation will be on site at two locations east of the runway. The sites are presently uplands dominated by a grassland community. The sites are a mosaic of non-saline and salinity-tolerant species. A total of 2.04 acres will be graded to the same elevations as the pickleweed dominated wetlands. The ground surface will be manipulated in such a way as to create micro depressions and knolls. Pickleweed plugs will be planted throughout the excavated area.

Endangered Species: Although the salt marsh harvest mouse (SMHM) is presumed present at the Palo Alto Airport, none of the proposed improvements will occur in salt marsh harvest mouse habitat. On April 1, 1997 a U.S. Fish and Wildlife Endangered Species staff person walked the project site and determined that implementation of the project improvements and mitigation measures will not result in impacts to the SMHM or their habitat.

No special-status plants or suitable habitat for them occurs on the project site.

b. IMPACTS ON RESOURCES OUTSIDE OF THE AQUATIC ECOSYSTEM

(1) PHYSICAL/CHEMICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Geomorphic/Physiographic: The Palo Alto Airport is located in the seismically-active San Francisco Bay Area. The site would be subject to strong groundshaking in the event of a major earthquake centered on one of the region's active faults. Both people and property would be exposed to the effects of groundshaking. However, the Palo Alto Airport site does not contain any features (e. g., active faults, steep slopes, etc.) which would create any

significant hazards. Further, the proposed improvements do not include the construction of any buildings or structures which could create hazards during an earthquake. Therefore, the effect of seismic ground shaking would not be significant if the proposed project is implemented.

Traffic: The proposed project will have no effect on ground, rail or water transportation.

Noise: The proposed improvements will not result in increased noise levels or exposure of people to severe noise levels.

(2) BIOLOGICAL CHARACTERISTICS AND ANTICIPATED CHANGES

Other Terrestrial Habitat: The proposed airport improvements will result in the removal of some potential Burrowing Owl habitat. At least one Burrowing Owl has been observed using the site in the past (in February or early March 1995) and, based on the presence of a recent pellet, at least one owl has recently used the site for foraging and/or roosting. If owls are established on site, any airport improvement that results in displacing resident Burrowing Owls would be a significant impact. Mitigation is proposed to avoid or relocate any resident owls on-site to one or more suitable relocation site(s) in the region.

Wildlife Habitats: A stand of coyote brush, which provides marginal breeding habitat for Loggerhead Shrike, was located near the eastern edge of the project site. Breeding habitat for raptors occurs directly adjacent to the site. At the time of the 1995 surveys, a pair of White-tailed Kites were observed nesting in the tops of the eucalyptus trees located at the north corner of the Palo Alto Golf Course, directly adjacent to the Palo Alto Airport. They were also observed foraging over the project site. Other special-status animal species that may potentially forage on site, but not nest, included White-faced Ibis, American Peregrine Falcon, Western Snowy Plover, Northern Harrier, Sharp-shinned Hawk, Cooper's Hawk, Golden Eagle, Merlin, California Horned Lark, California Yellow Warbler, Salt Marsh Common Yellowthroat, Tricolored Blackbird, Townsend's Big-eared Bat, Pallid Bat and California Mastiff Bat.

(3) SOCIOECONOMIC CHARACTERISTICS AND ANTICIPATED CHANGES

Energy Consumption: The proposed project and its construction related activities would use non-renewable resources such as fuel and oil for the operation of the construction equipment. After completion of the project no additional energy would be required.

Air Transportation: All of the components of the proposed project will improve the operational and safety environment at the Airport. In particular, the proposed runway safety areas and the shoulder grading along the runway will enhance safety at the Palo Alto Airport, in conformance with current FAA design criteria.

Public Health and Safety: The proposed project includes the construction of perimeter fencing around the Palo Alto Airport. Currently, the airport is easily accessible from nearby areas, including a recreational trail along the levee of the adjacent Palo Alto Baylands Nature Preserve. This easy access to the airport represents a potentially hazardous situation. Therefore, the installation of perimeter fencing will have a beneficial effect by preventing inadvertent access to the airfield by people and most animals.

(4) HISTORIC/CULTURAL CHARACTERISTICS AND ANTICIPATED CHANGES According to the Final EIR for the Santa Clara County Airports Master Plan (1982), the proposed improvements will have no impact upon historical or cultural resources.

c. SUMMARY OF INDIRECT IMPACTS

None have been identified.

d. SUMMARY OF CUMULATIVE IMPACTS

None have been identified.

e. CONCLUSIONS AND RECOMMENDATIONS

Based on an analysis of the above identified impacts, a preliminary determination has been made that it will not be necessary to prepare an Environmental Impact Statement (EIS) for the subject permit application. The Environmental Assessment for the proposed action has however, not yet been finalized and this preliminary determination may be reconsidered if additional information is developed.

5. EVALUATION OF ALTERNATIVES:

Evaluation of this activity's impacts includes application of the guidelines promulgated by the Administrator of the

Environmental Protection Agency under Section 404(b) of the Clean Water Act (33 U.S.C. 1344(b). The applicant states that there are no practicable off-site alternatives for this project and has provided an alternatives analysis document.

ALTERNATIVE 1. August 1981.

Sheet 4 of 9 presents one of the alternative site plans ("Airport Layout Plan") prepared by Hodges & Shutt in August 1981. The proposed airport improvements that would impact jurisdictional waters include: 1) construction of a taxiway north of the runway; 2) regrading of runway shoulder, 3) creation of airport safety area at the western end of the runway, and; 4) realignment of pickleweed-dominated ditch located south of the existing taxiway. The proposed location of these improvements will result in impacts (both permanent and temporary) to approximately 6.17 acres of jurisdictional waters including 5.90 acres of wetlands and 0.27 acre of other waters. This impact amount represents approximately 74% of the total Section 404 waters (8.33 acres) identified in the wetland report. Approximately 1.58 acres of salt marsh harvest mouse habitat would be impacted under this proposed improvement scenario. This impact amount will affect approximately 29% of the total salt marsh harvest mouse habitat (5.5 acres) located on site (Sheet 5 of 9).

ALTERNATIVE 2. December 1994.

Sheet 6 of 9 presents the airport improvement plan prepared in December 1994 by Hodges & Shutt. Specifically, these improvements include: 1) grading along the runway shoulder; 2) creation of a runway safety area at the western end of the runway, and; 3) grading of the pickleweed-dominated ditch located south of the existing taxiway. This improvement scenario will cause both permanent and temporary impacts to jurisdictional waters similar to those described above for Alternative 1 and will total roughly 2.43 acres including 2.16 acres of wetlands and 0.27 acre of other waters. This impact amount represents approximately 29% of the total Section 404 waters (8.33 acres) identified in the wetland report. Sheet 7 of 9 shows the above improvements superimposed upon the SMHM habitat. This particular improvement scenario will result in the loss of approximately 0.50 acre of SMHM habitat or 9% of the total SMHM habitat (5.5 acres) on site.

PREFERRED ALTERNATIVE 3. December 1997.

Sheet 8 of 9 presents the extent of impacts within jurisdictional waters under the current plan. These impacts result entirely from the regrading of the runway shoulder. The proposed plan will cause impacts to 0.98 acre of jurisdictional waters including 0.92 acre of wetlands and 0.06 acre of other waters. This impact represents approximately 12% of the total Section 404 waters (8.33 acres) identified in the wetland report. A further reduction in impacts of around 62% and 17% over Alternatives 1 and 2, respectively. Sheet 9 of 9 shows that the extent of airport improvements will not impact any salt marsh harvest mouse habitat.

6. PUBLIC INTEREST EVALUATION:

The decision whether to issue a permit will be based on an evaluation of the probably impacts, including cumulative impacts, of the proposed activity and its intended use on the public interest. Evaluation of the probably impacts which the proposed activity may have on the public interest requires a careful weighing of all those factors which become relevant in each particular case. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonable foreseeable detriments. The decision whether to authorize a proposal, and if so the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision will reflect the national concern for both protection and utilization of important resources. All factors which may be relevant to the proposal must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazard, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

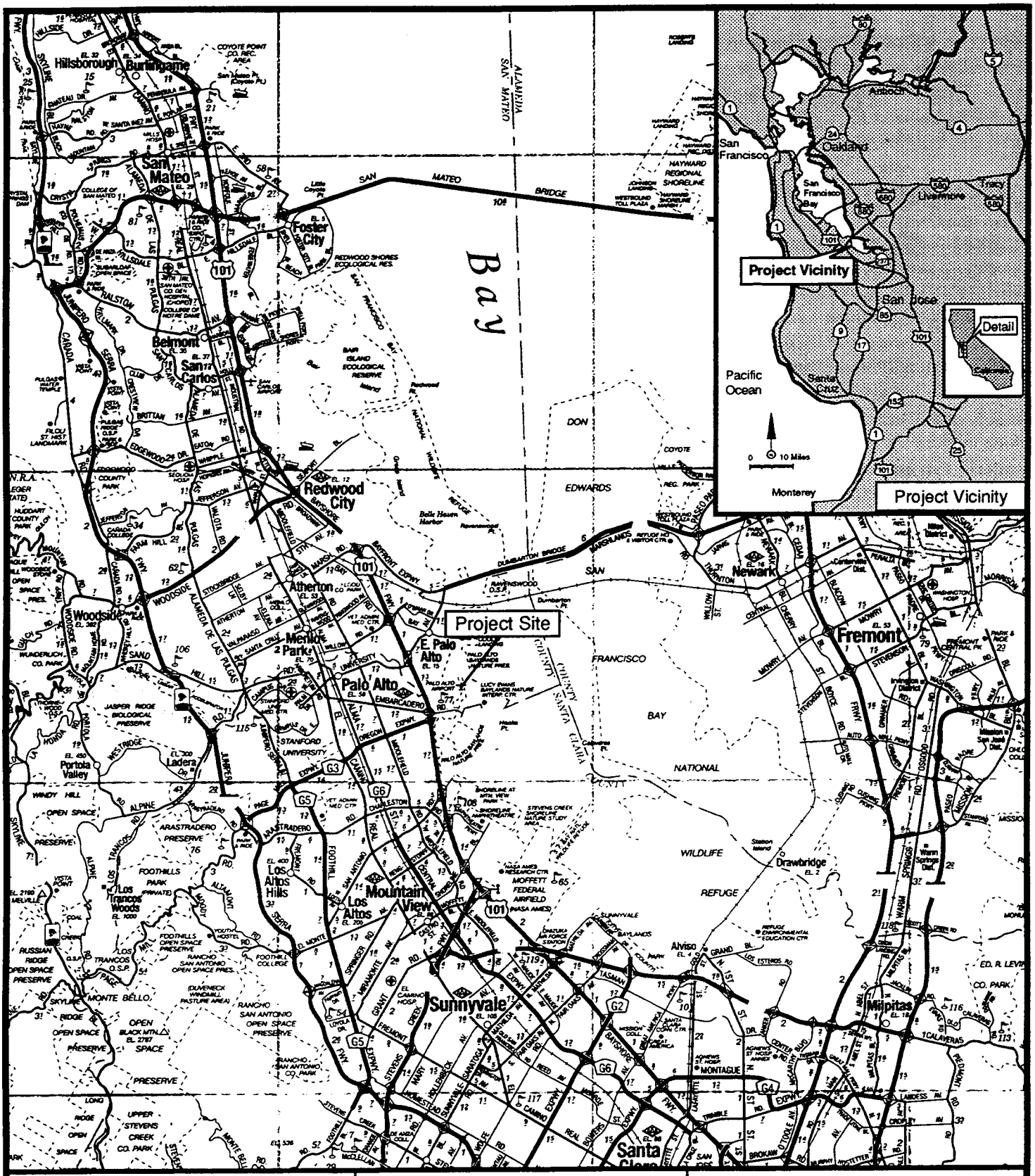
7. CONSIDERATION OF COMMENTS:

The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

8. **SUBMISSION OF COMMENTS:**

Interested parties may submit in writing any comments concerning this activity. Comments should include the applicant's name, the number, and the date of this notice and should be forwarded so as to reach this office within the comment period specified on page one of this notice. Comments should be sent to: Lieutenant Colonel Richard G. Thompson, District Engineer, Attention: Regulatory Branch. It is Corps policy to forward any such comments which include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose address is indicated in the first paragraph of this notice or by contacting Angie Wulfow of our office at telephone 415-977-8452 or Email awulfow@smtp.spd.usace.army.mil. Details on any changes of a minor nature which are made in the final permit action will be provided on request.



PURPOSE: Runway Improvement

DATUM: NGVD

ADJACENT PROPERTY:
OWNERS: None

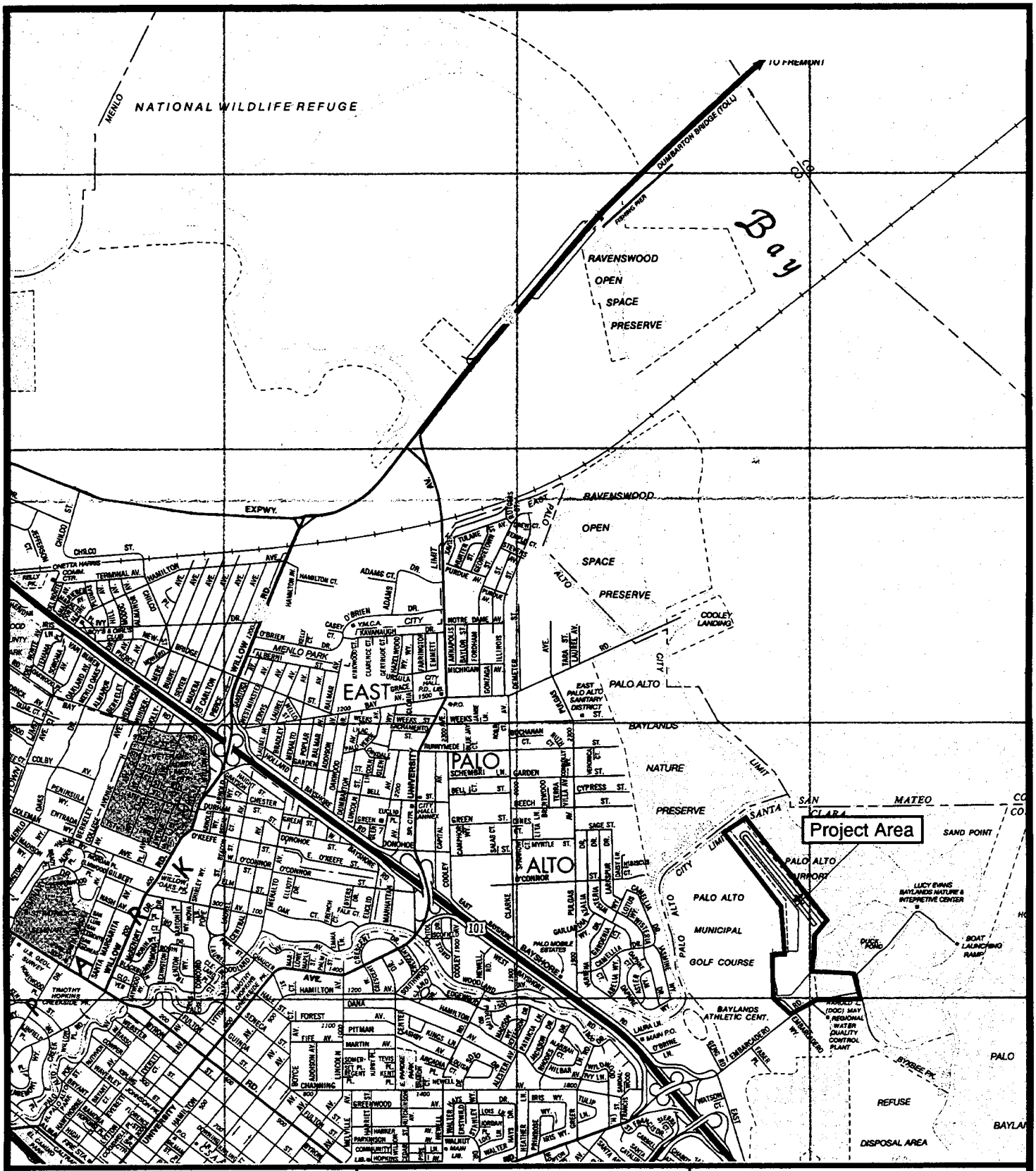
VICINITY MAP

SCALE: 1-inch: 3 miles
APPLICATION BY:
County of Santa Clara,
Roads and Airports Department
Airport Division
2500 Cunningham Avenue
San Jose, CA 94148

PALO ALTO AIRPORT PROJECT

IN: Jurisdictional Wetlands and Other Waters
AT: San Francisco Bay
COUNTY OF: Santa Clara
STATE: California

APPLICATION BY: Jerry Bennett
Sheet 1 of 9 DATE: 15 December 1997



PURPOSE: Runway Improvement

DATUM: NGVD

ADJACENT PROPERTY:
OWNERS: None

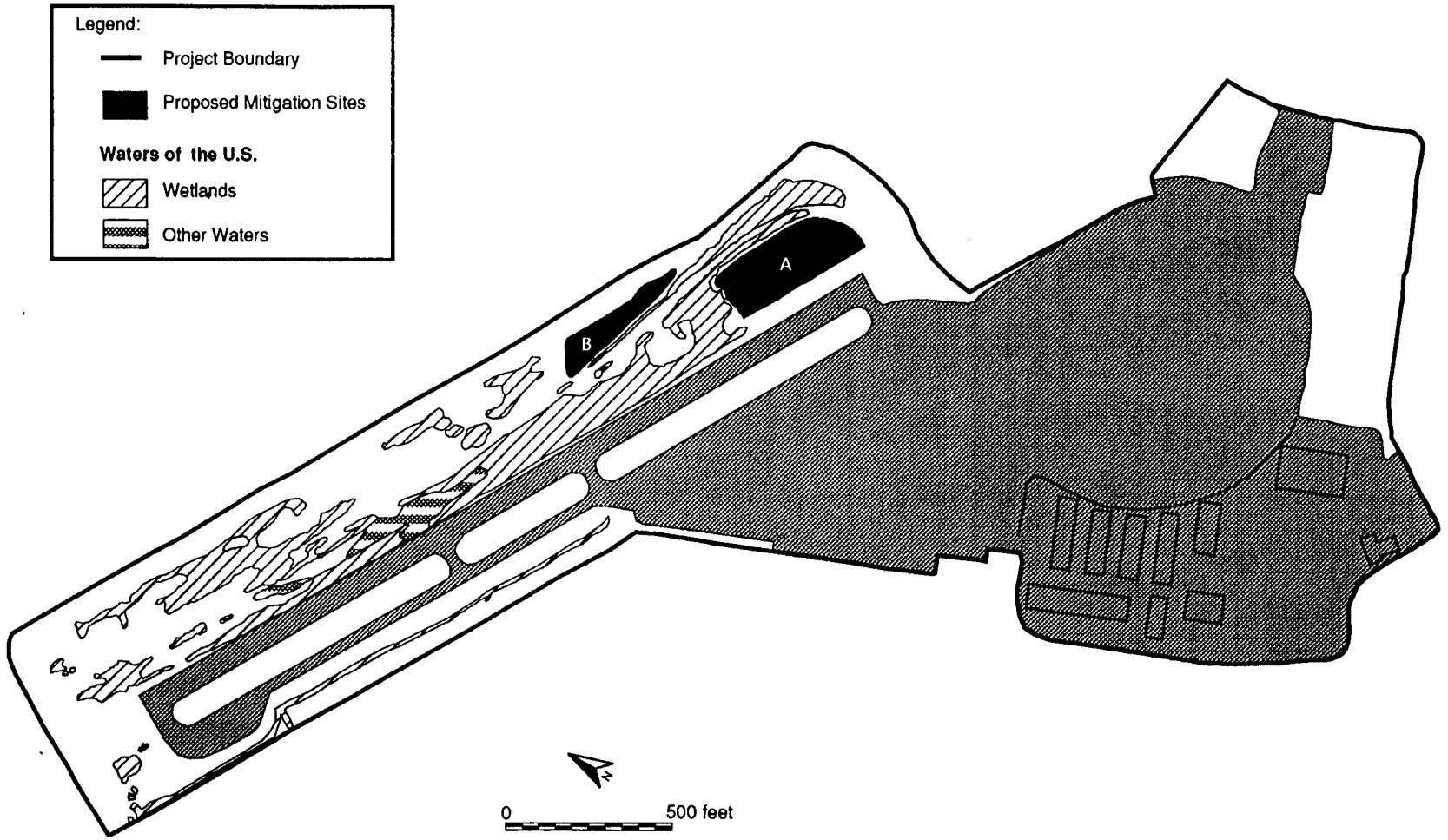
LOCATION MAP

SCALE: 1-inch: 2900 feet
APPLICATION BY:
County of Santa Clara,
Roads and Airports Department
Airport Division
2500 Cunningham Avenue
San Jose, CA 94148

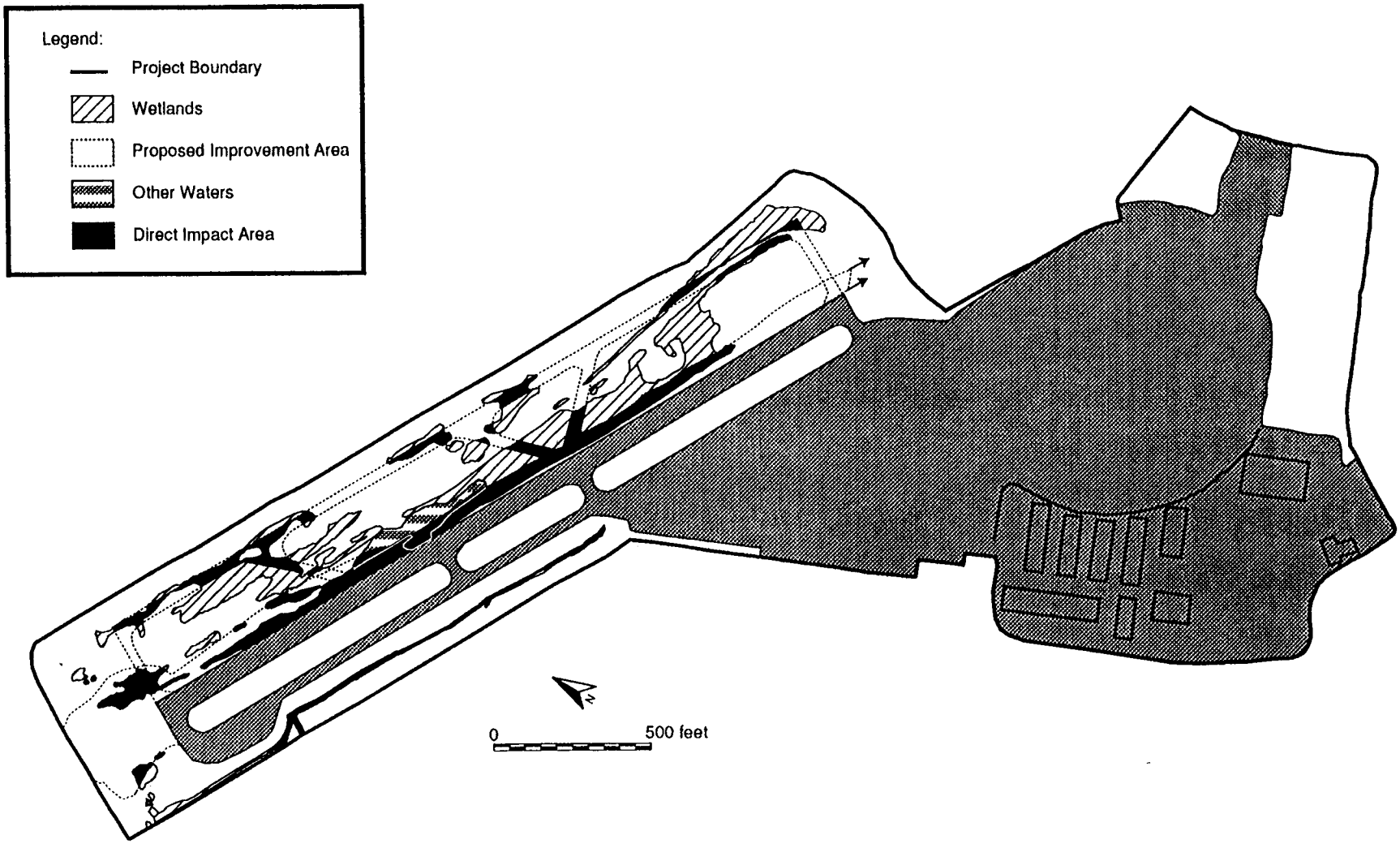
PALO ALTO AIRPORT PROJECT

IN: Jurisdictional Wetlands and Other Waters
AT: San Francisco Bay
COUNTY OF: Santa Clara
STATE: California

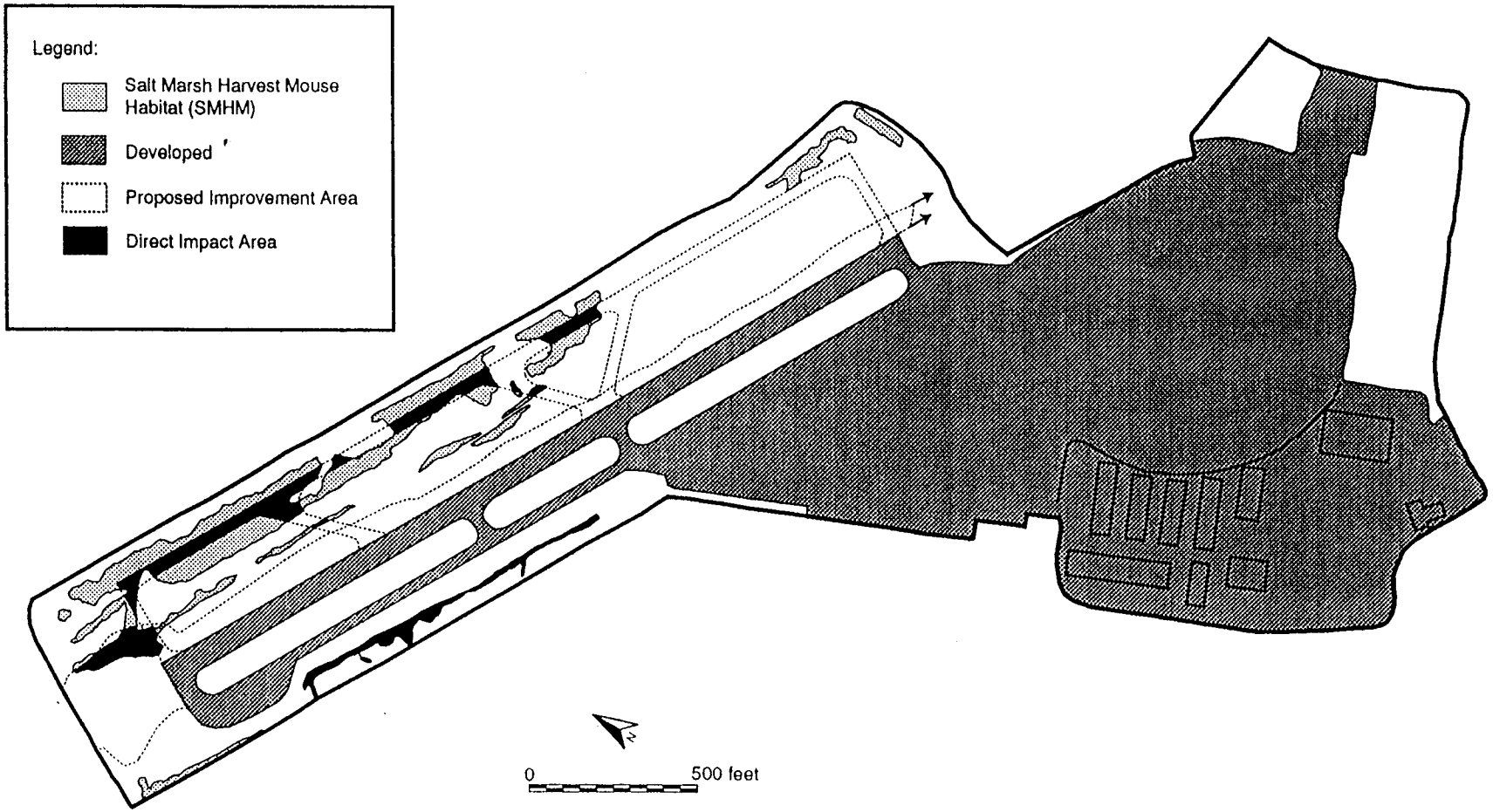
APPLICATION BY: Jerry Bennett
Sheet 2 of 9 DATE: 15 December 1997



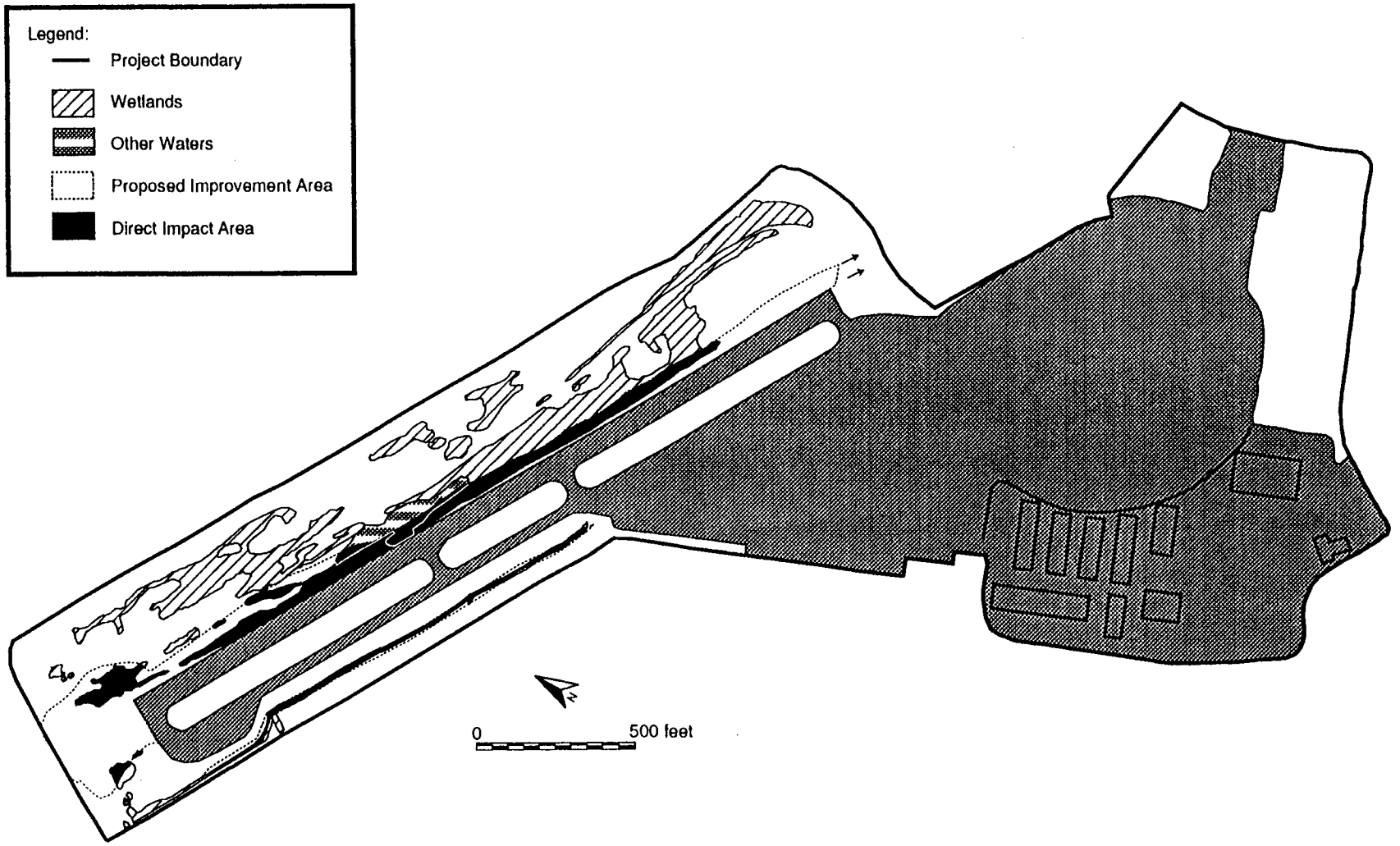
PURPOSE: Runway Improvement **DATUM:** NGVD **ADJACENT PROPERTY:** **OWNERS:** None	**MITIGATION SITE MAP** **SCALE:** Same above **APPLICATION BY:** County of Santa Clara, Roads and Airports Department Airport Division 2500 Cunningham Avenue San Jose, CA 94148	**PALO ALTO AIRPORT PROJECT** **IN:** Jurisdictional Wetlands and Other Waters **AT:** San Francisco Bay **COUNTY OF:** Santa Clara **STATE:** California **APPLICATION BY:** Jerry Bennett Sheet 3 of 9 DATE: 15 December 1997



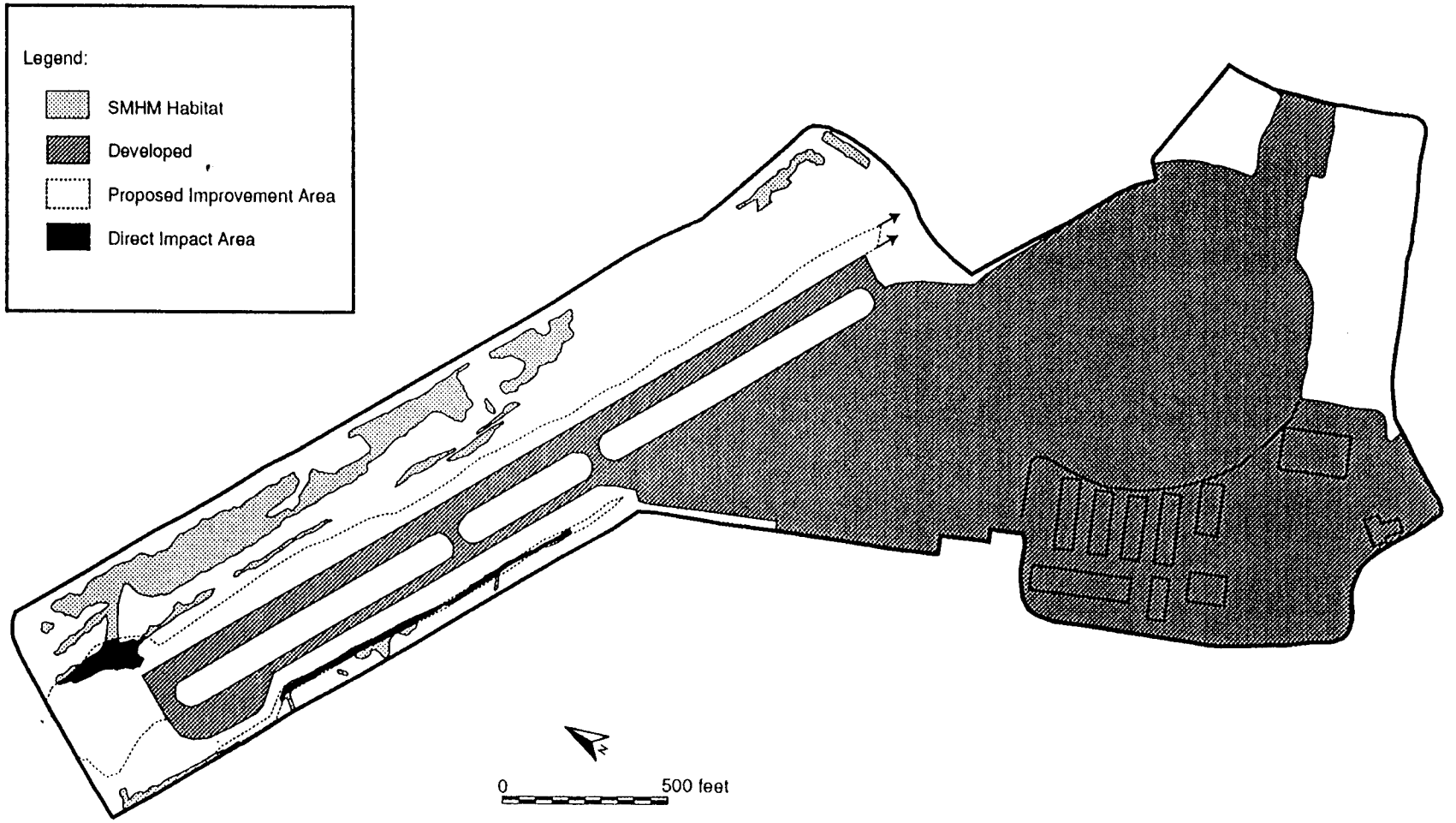
PURPOSE: Runway Improvement **DATUM:** NGVD **ADJACENT PROPERTY:** **OWNERS:** None	**1981 USACE JURISDICTIONAL AREA IMPACTS MAP** **SCALE:** 1 inch = 500 feet **APPLICATION BY:** County of Santa Clara, Roads and Airports Department Airport Division 2500 Cunningham Avenue San Jose, CA 94148	**PALO ALTO AIRPORT PROJECT ALTERNATIVE I** **IN:** Jurisdictional Wetlands and Other Waters **AT:** San Francisco Bay **COUNTY OF:** Santa Clara **STATE:** California **APPLICATION BY:** Jerry Bennett Sheet 4 of 9 DATE: 15 December 1997



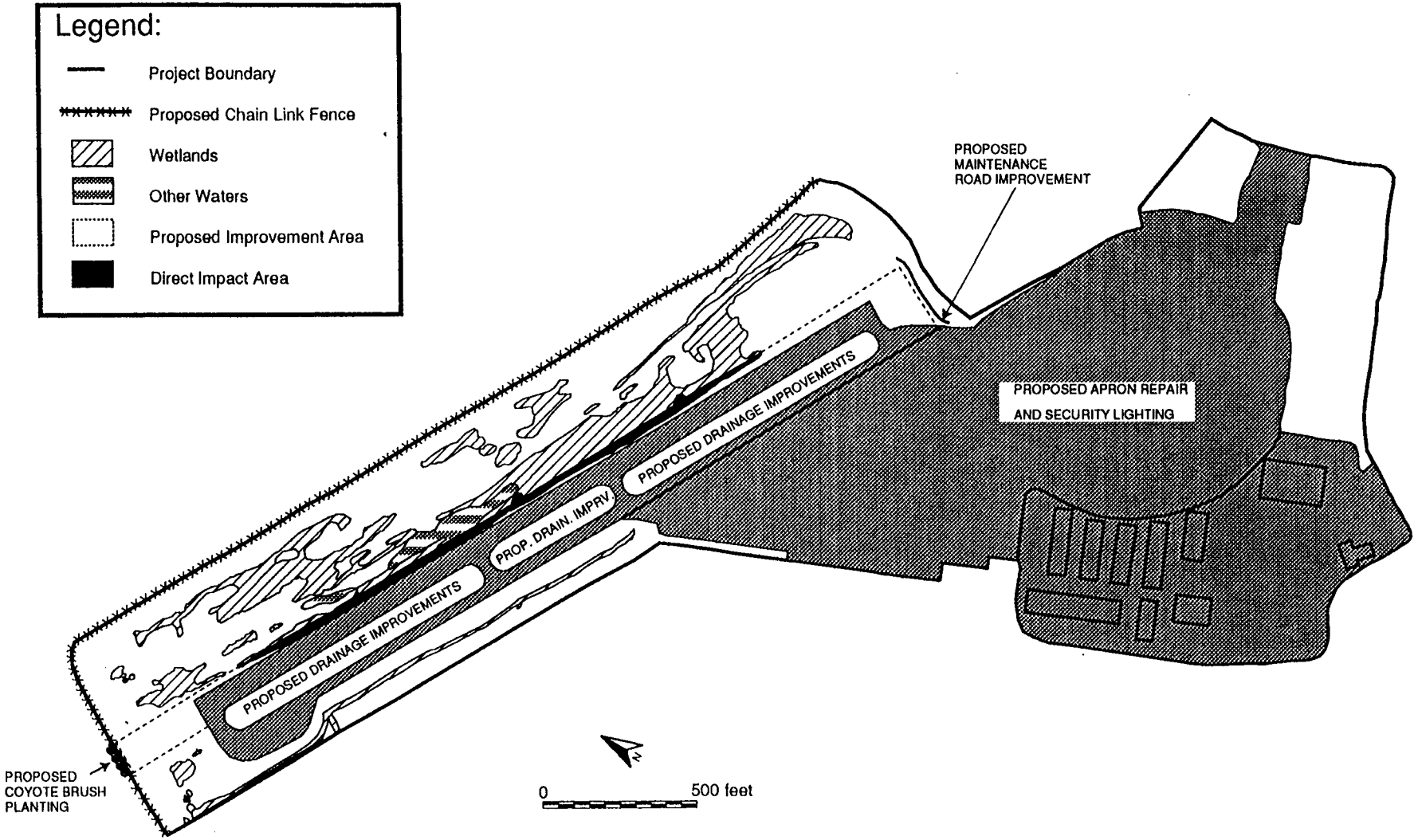
PURPOSE: Runway Improvement **DATUM:** NGVD **ADJACENT PROPERTY:** **OWNERS:** None	**1981 SALT MARSH HARVEST MOUSE HABITAT IMPACTS MAP** **SCALE:** 1 inch = 500 feet **APPLICATION BY:** County of Santa Clara, Roads and Airports Department Airport Division 2500 Cunningham Avenue San Jose, CA 94148	**PALO ALTO AIRPORT PROJECT ALTERNATIVE I** **IN:** Jurisdictional Wetlands and Other Waters **AT:** San Francisco Bay **COUNTY OF:** Santa Clara **STATE:** California **APPLICATION BY:** Jerry Bennett Sheet 5 of 9 DATE: 15 December 1997



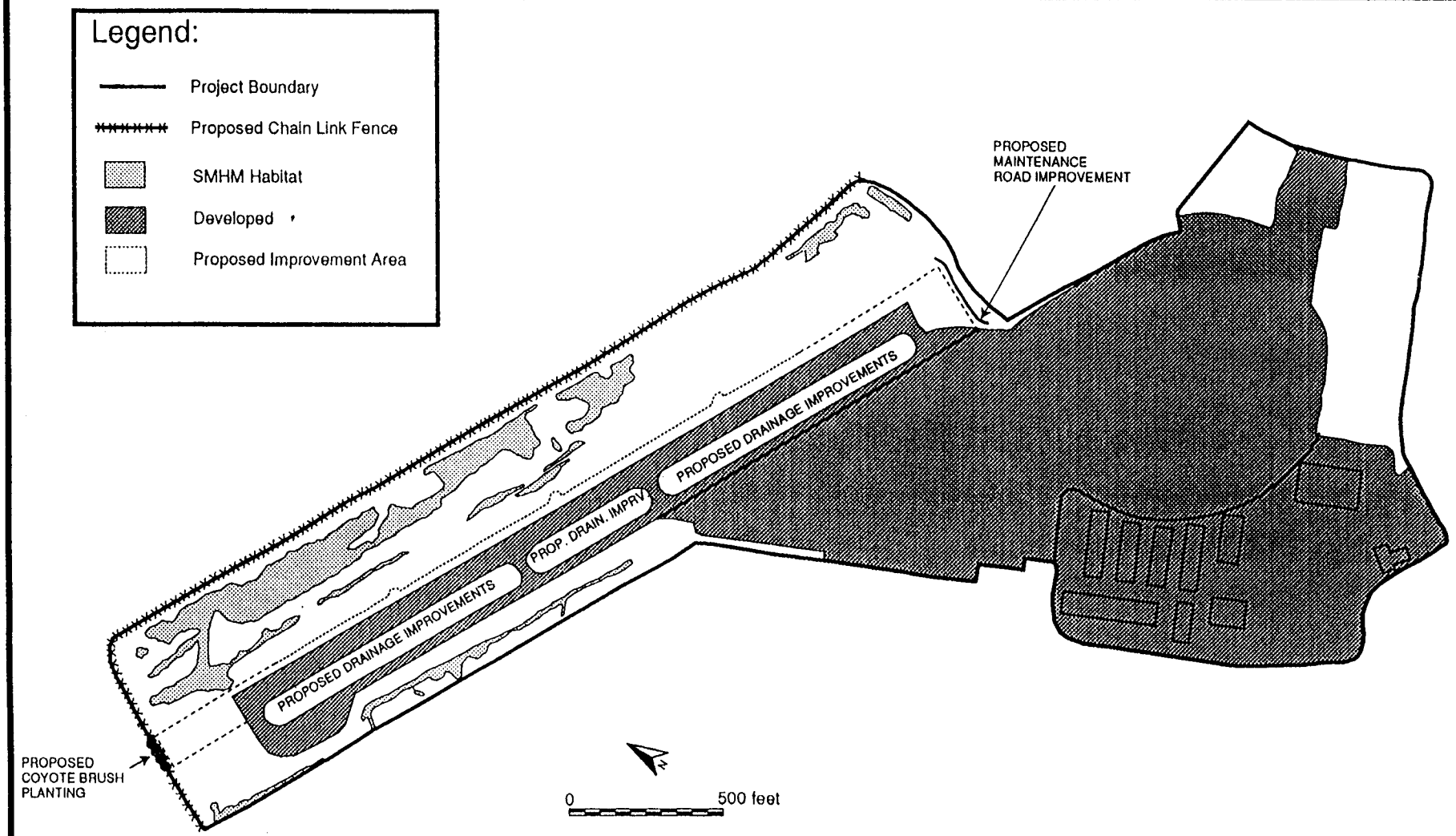
PURPOSE: Runway Improvement **DATUM:** NGVD **ADJACENT PROPERTY:** **OWNERS:** None	**1994 USACE JURISDICTIONAL AREA IMPACTS MAP** **SCALE:** 1 inch = 500 feet **APPLICATION BY:** County of Santa Clara, Roads and Airports Department Airport Division 2500 Cunningham Avenue San Jose, CA 94148	**PALO ALTO AIRPORT PROJECT ALTERNATIVE II** **IN:** Jurisdictional Wetlands and Other Waters **AT:** San Francisco Bay **COUNTY OF:** Santa Clara **STATE:** California **APPLICATION BY:** Jerry Bennett Sheet 6 of 9 DATE: 15 December 1997



PURPOSE: Runway Improvement **DATUM:** NGVD **ADJACENT PROPERTY:** **OWNERS:** None	**1994 SALT MARSH HARVEST MOUSE HABITAT IMPACTS MAP** **SCALE:** 1 inch = 500 feet **APPLICATION BY:** County of Santa Clara, Roads and Airports Department Airport Division 2500 Cunningham Avenue San Jose, CA 94148	**PALO ALTO AIRPORT PROJECT ALTERNATIVE II** **IN:** Jurisdictional Wetlands and Other Waters **AT:** San Francisco Bay **COUNTY OF:** Santa Clara **STATE:** California **APPLICATION BY:** Jerry Bennett Sheet 7 of 9 DATE: 15 December 1997



PURPOSE: Runway Improvement **DATUM:** NGVD **ADJACENT PROPERTY:** **OWNERS:** None	**1997 USACE JURIDICTIONAL AREA IMPACTS MAP** **SCALE:** 1 inch = 500 feet **APPLICATION BY:** County of Santa Clara, Roads and Airports Department Airport Division 2500 Cunningham Avenue San Jose, CA 94148	**PALO ALTO AIRPORT PROJECT ALTERNATIVE III (Prefered Alternative)** **IN:** Jurisdictional Wetlands and Other Waters **AT:** San Francisco Bay **COUNTY OF:** Santa Clara **STATE:** California **APPLICATION BY:** Jerry Bennett Sheet 8 of 9 DATE: 15 December 1997



PURPOSE: Runway Improvement **DATUM:** NGVD **ADJACENT PROPERTY:** **OWNERS:** None	**1997 SALT MARSH HARVEST MOUSE HABITAT IMPACTS MAP** **SCALE:** 1 inch = 500 feet **APPLICATION BY:** County of Santa Clara, Roads and Airports Department Airport Division 2500 Cunningham Avenue San Jose, CA 94148	**PALO ALTO AIRPORT PROJECT ALTERNATIVE III (Prefered Alternative)** **IN:** Jurisdictional Wetlands and Other Waters **AT:** San Francisco Bay **COUNTY OF:** Santa Clara **STATE:** California **APPLICATION BY:** Jerry Bennett Sheet 9 of 9 **DATE:** 15 December 1997